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8-13-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Glenshaw, et al. )

Application No.: 09/828,731 )

Filed: 04/09/2001 )

For: METHOD AND SYSTEM FOR )  
CONDUCTING ELECTRONIC )  
AUCTIONS )

Group Art Unit: 2161

Examiner: Unassigned



**INFORMATION DISCLOSURE STATEMENT  
PURSUANT TO 37 C.F.R. §§ 1.56 ET SEQ.**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Dear Sir:

In accordance with 37 C.F.R. § 1.97(b), the above-identified Applicants cite the following patents and publications, which may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 C.F.R. § 1.56. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits.

In compliance with 37 C.F.R. § 1.98(a), copies of the patents and publications set forth below and listed on the attached Form PTO-1449 (4 sheets) are provided.

**CERTIFICATE OF MAILING (37 C.F.R. § 1.8)**

I hereby certify that this paper, and the papers and/or fees referred to herein as transmitted, submitted or enclosed, are being deposited on the date shown below with the U.S. Postal Service with sufficient postage as first-class mail in an envelope addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Name Kim R. Jessum Signature *Kim R. Jessum* Date of Deposit August 1, 2002

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U.S. Patents

<u>Patent No.</u>	<u>Issue Date</u>	<u>Inventor</u>
3,863,060	01/28/75	Rode, et al.
4,597,045	06/24/86	Kiuchi
4,799,156	01/17/89	Shavit
5,629,982	05/13/97	Micali
5,640,569	06/17/97	Miller, et al.
5,799,285	08/25/98	Klingman
5,803,500	9/8/98	Mossberg
5,809,483	9/15/98	Broka, et al.
5,826,244	10/20/98	Huberman
5,832,496	11/3/98	Anand, et al.
5,835,896	11/10/98	Fisher, et al.
5,862,223	1/19/99	Walker, et al.
5,890,138	3/30/99	Godin, et al.
5,897,621	4/27/99	Boesch, et al.
5,905,974	5/18/99	Fraser, et al.
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5,915,209	6/22/99	Lawrence
5,966,699	10/12/99	Zandi
6,014,627	1/11/00	Togher, et al.
6,021,398	2/1/00	Ausubel
6,023,685	2/8/00	Brett, et al.
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6,055,518	4/25/00	Franklin, et al.
6,058,379	5/2/00	Odom, et al.
6,061,663	5/9/00	Bloom, et al.
6,078,906	6/20/00	Huberman
6,119,229	9/12/00	Martinez, et al.
6,151,589	11/21/00	Aggarwal, et al.
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6,199,050	3/6/01	Alaia, et al.
6,266,652	7/24/02	Godin, et al.
6,366,891	4/2/2002	Feinberg

Foreign Patents

<u>Publication No.</u>	<u>Publication Date</u>	<u>Country</u>
0399850A	11/28/90	EP
WO 92/15174	9/3/92	WIPO
WO 98/34187	8/6/98	WIPO
WO 99/63461	12/9/99	WIPO
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Other Publications

“BroadVision Developing First Interactive Commerce Management System To Support Online Sales & Marketing Process; New Software Category Necessary to Interactive Network Architecture”, Business Wire, p5150152, May 15, 1995

"FairMarket Launches New Self-Serve Auctions." Business Wire, p6161495, June 16, 1998

Lee, "Do electronic marketplaces lower the price of goods?", Communications of the PCM, v41n1 pp 73-80, January 1998

"Moai Technologies Introduces New categories of Business to Business Auction Software..", Business Editors and Computer writers, March 16, 1998

Kikuchi, et al., "Multi-Round Anonymous Auction Protocols", IEICE Trans. Inf. & Syst., vol.E82-D, No.4, April 1999

"Online bidding software", Electronic Buyers' News, Issue 1072, p86, 1/6p, August 25, 1997

Sairamesh, et al., "Economic Framework for Pricing and Charging Digital Libraries", D-Lip Magazine, February 1996

"Sold!...To the Lowest Bidder", Computer Finance, v6, n2, July 1995

"Venture Capitalists Fund Two Massachusetts Internet Related Companies", Boston Globe, January 14, 1998

Vigoroso, "Buyers prepare for brave new world of e-commerce", Purchasing, v126, n6, pS4(1), April 22, 1999.

Von der Fehr, et al., "Predatory bidding in sequential auctions", Oxford Economics Papers, v46, n3, p345(12), July 1994

"What you need to know to bid in FCC's narrowband auction", Washington Telecom News, v2, n26, p6(2), June 27, 1994

M. Reck, "Types of Electronic Auctions", Hochschule St. Gallen

C. Wrigley, "Design Criteria For Electronic Market Servers", Electronic Markets, vol.7, no.4, 1997

Wurman, et al., "The Michigan Internet AuctionBot: A Configurable Auction Server for Human and Software Agents", Artificial Intelligence Laboratory, University of Michigan, 1998

Further, in compliance with 37 C.F.R. § 1.98(d), copies of the patents and publications set forth below and listed on the attached Form PTO-1449 (4 sheets) have not been provided because they were cited in parent application no. 09/311,557, filed on May 14, 1999, now U.S. Patent No. 6,216,114, issued April 10, 2001, or application no. 09/252,790, filed on February 19, 1999, now U.S. Patent No. 6,230,146, issued May 18, 2001, which is parent application of application no. 09/311,557.

U.S. Patents

<u>Patent No.</u>	<u>Issue Date</u>	<u>Inventor</u>
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4,674,044	6/16/87	Kalmus, et al.
4,789,928	12/6/88	Fujisaki
4,845,625	7/4/89	Stannard
4,992,940	2/12/91	Dworkin
5,136,501	8/4/92	Silverman, et al.
5,193,056	3/9/93	Boes
5,243,515	9/7/93	Lee
5,297,032	3/22/94	Trojan, et al.

5,375,055	12/20/94	Togher, et al.
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5,402,336	3/28/95	Spiegelhoff, et al.
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5,664,115	9/2/97	Fraser
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5,794,219	8/11/98	Brown
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5,799,151	8/25/98	Hoffer
5,802,502	9/1/98	Gell, et al.

Foreign Patents

<u>Publication No.</u>	<u>Publication Date</u>	<u>Country</u>
WO 97/37315	10/9/97	WIPO

Other Publications

Malone, et al., "The Logic of Electronic Markets", Harvard Business Review, No. 893II, May-June 1989

Freemarkets™ Online, "Bidware Manual", June 9, 1988

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WebAuction.com, "How to Play", 1998

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Jean-Pierre Banatre, et al., "The Design and Building of Enchere, a Distributed Electronic Marketing System", Communications of the ACM, No. 1, January 29, 1986

Danny Cohen, "Computerized Commerce", Information Processing 89, August 28-September 1, 1989

Applicants respectfully request that these items be considered by the Examiner, and that the Examiner acknowledge consideration of these references by initialing and returning copies of the enclosed Form PTO-1449 (4 sheets) with the next official action.

While this Information Disclosure Statement may be "material" pursuant to 37 C.F.R. §1.56, it is not intended to constitute an admission that any patent, publication or other information referred to herein is "prior art" for this invention or otherwise material to the patentability of this invention as defined in 37 C.F.R. § 1.56.

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made or that no other material information as defined in 37 C.F.R. § 1.56(b) exists.

**EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

August 1, 2002  
Date

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